

# Exhibit 11

**Ried, Lisa**

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**From:** Wolf, Lindsey  
**Sent:** Friday, August 15, 2014 7:48 PM  
**To:** Heard, Bradley (CRT)  
**Cc:** Whitley, David; All Corpus Christi Section 2 Case Group; Shapiro, Avner (CRT); Gear, Bruce (CRT); Freeman, Daniel (CRT); bdonnell@dakpc.com; Westfall, Elizabeth (CRT); Rosenberg, Ezra; Maranzano, Jennifer (CRT); Clay, Reed; Dellheim, Richard (CRT); Berman, Robert (CRT); King, Ryan (CRT); Baldwin, Anna (CRT); Scott, John; Deason, Whitney  
**Subject:** Re: Veasey v. Perry - 30(b)(6) Dep of US and Defendants' Motion to Compel

Brad:

We are disappointed that the United States is not willing to consider any of our proposals in Paragraphs 2(b) and 3 of our August 14 e-mail, regarding searches of SENTINEL and the US Attorney's Offices ("USAOs") for what you refer to as "Non-Prosecuted Allegations." In making this proposal, Defendants were willing to drastically reduce the universe of information they were seeking from the FBI, and to the extent not in LIONS, the USAOs, to avoid burdening the Court with this dispute any further. The United States, however, will not agree to produce even that narrow universe of information Defendants proposed, or even undertake any efforts to search for it at this late stage, a mere approximately 2 weeks from trial, despite that Defendants requested this information months ago. The United States could have undertaken the searches months ago, when the information was requested.

Moreover, contrary to the United States' assertions otherwise, "allegations of misconduct" are relevant to whether the public believed that voter fraud and election crimes were occurring nationwide, which in turn is relevant to the Texas Legislature's motivations in passing SB 14 in response to concerns expressed by its constituents.

Because you have failed to accept what Defendants consider to be an extremely generous proposal to narrow the universe of information the United States would have to search in SENTINEL and the USAOs (which is not in LIONS), we plan to seek relief from the Court for the entirety of information nationwide in the SENTINEL database and the USAOs (which is not in LIONS), and not just in Texas. We will ask the Court this evening for a hearing on Monday.

In the meantime, we look forward to receiving the data referenced in Paragraphs 1 and 2(a) of my August 14 e-mail no later than August 21. As respects deposition scheduling, since the witnesses will not be produced [until August 26](#), and it appears there will be more than one designee, we will

notice the depositions for Corpus Christi and also reserve [August 27](#) in the event that we need a full 7 hours with each designee.

Regards,  
Lindsey

On Aug 15, 2014, at 3:37 PM, "Heard, Bradley (CRT)" <[Bradley.Heard@usdoj.gov](mailto:Bradley.Heard@usdoj.gov)> wrote:

Lindsey:

Please see the attached letter following up on our conversations and letters yesterday. Thanks.

Brad

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**Bradley E. Heard**

*Trial Attorney*

U.S. Department of Justice

Civil Rights Division, Voting Section

Phone: (202) 305-4196

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**From:** Wolf, Lindsey [<mailto:Lindsey.Wolf@texasattorneygeneral.gov>]

**Sent:** Thursday, August 14, 2014 10:46 PM

**To:** Heard, Bradley (CRT)

**Cc:** Whitley, David; All Corpus Christi Section 2 Case Group; Shapiro, Avner (CRT); Gear, Bruce (CRT); Freeman, Daniel (CRT); [bdonnell@dakpc.com](mailto:bdonnell@dakpc.com); Westfall, Elizabeth (CRT); Rosenberg, Ezra; Maranzano, Jennifer (CRT); Clay, Reed; Dellheim, Richard (CRT); Berman, Robert (CRT); King, Ryan (CRT); Baldwin, Anna (CRT); Scott, John; Deason, Whitney

**Subject:** Re: Veasey v. Perry - 30(b)(6) Dep of US and Defendants' Motion to Compel

Brad:

This e-mail responds to your letter dated August 13, 2014. The United States' letter refers to two categories of information: (1) resolved and pending prosecutions; and (2) non-prosecuted allegations.

Following up on our telephone conversations this evening, Defendants' position respecting the United States' letter is as follows:

1. Resolved and Pending Prosecutions: There are no disagreements between the United States and Defendants regarding the information the United States has offered to provide relating to resolved and pending prosecutions from LIONS and ACTS, nationwide, between 2004-present, based on our understanding that when the United States says “election fraud prosecutions,” it is referring to each type of election or voting-related “resolved and pending prosecutions,” which is coded in ACTS and LIONS.

2. Non-Prosecuted Allegations:

a. Defendants are amenable to the United States producing the LIONS and ACTS information relating to “matters” nationwide, between 2004-present, without the United States providing the “geographical location in which any investigated matter arises”, so long as the United States provides the other information it offers to provide in its letter. This agreement is based on our understanding that when the United States says “election fraud ‘matters’”, it is referring to each type of election or voting-related “matter”, which is coded in ACTS and LIONS.

b. Defendants continue to take issue with the United States’ refusal to produce any information relating to voter fraud and election crimes from the Federal Bureau of Investigation (the “FBI”), including its investigatory case tracking system, SENTINEL. Defendants propose that the United States limit SENTINEL to any information regarding Election Crimes and Voter Fraud in the State of Texas, from 2004 to the present.

3. Though I did not explicitly propose this on our calls, Defendants take a similar issue with the United States’ refusal to produce any information from the U.S. Attorney’s Offices beyond the information in LIONS (i.e. they refuse to produce any information regarding files or referrals or other forms of information relating to Election Crimes and Voter Fraud that an Assistant U.S. Attorney worked on for less than one hour). Defendants would propose that the United States also provide information, in a similar format to the information it is providing in Paragraph 2.a, possessed by the United States Attorney’s Offices in Texas relating to voter fraud and election crimes since 2004, which would not have been entered into LIONS.

4. While we attempt to work out the issues identified in Paragraph 2(b) and 3, Defendants would request that the United States identify its designee(s) for the 30(b)(6) deposition of the United States, and produce the information identified in Paragraphs #1 and #2, and any other information to which the parties agree the United States will produce, or the Court orders the United States to produce, by the close of business [on Monday, August 18](#). We would ask that the deposition of the United States be scheduled on either [Thursday, August 21](#), [Monday, August 25](#), or [Tuesday, August 26](#). Please advise if the United States is amenable to this schedule.

Regards,

**Lindsey E. Wolf | Assistant Attorney General | Financial Litigation, Tax, and Charitable Trusts Division** | 300 West 15th Street, 6th Floor, Austin, Texas 78701 |  
Mail: [P O Box 12548 | Austin, TX 78711-2548](#) | [\(512\) 475-4233](#) | Fax: [\(512\) 370-9126](#) |  
e-mail: [Lindsey.Wolf@texasattorneygeneral.gov](mailto:Lindsey.Wolf@texasattorneygeneral.gov)

On Aug 14, 2014, at 4:38 PM, "Heard, Bradley (CRT)" <[Bradley.Heard@usdoj.gov](mailto:Bradley.Heard@usdoj.gov)> wrote:

David (and TX Counsel):

Thank you for sending along the charts. Please review the attached correspondence, which contains our revised proposal regarding production. We have asked for Defendants' written response thereto by 9:00 pm EDT this evening, given the Court's currently-scheduled hearing at 8:30 am CDT tomorrow. I will be in the office for another hour or so and then available by BlackBerry at 202.353.5738 thereafter. Thank you.

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**Bradley E. Heard**  
*Trial Attorney*  
U.S. Department of Justice  
Civil Rights Division, Voting Section  
Phone: (202) 305-4196

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**From:** Whitley, David [<mailto:david.whitley@texasattorneygeneral.gov>]  
**Sent:** Thursday, August 14, 2014 12:53 PM  
**To:** Heard, Bradley (CRT); Wolf, Lindsey  
**Cc:** All Corpus Christi Section 2 Case Group; Shapiro, Avner (CRT); Gear, Bruce (CRT); Freeman, Daniel (CRT); [bdonnell@dakpc.com](mailto:bdonnell@dakpc.com); Westfall, Elizabeth (CRT); Rosenberg, Ezra; Maranzano, Jennifer (CRT); Clay, Reed; Dellheim, Richard (CRT); Berman, Robert (CRT); King, Ryan (CRT); Baldwin, Anna (CRT); Scott, John  
**Subject:** RE: Veasey v. Perry - 30(b)(6) Dep of US and Defendants' Motion to Compel

Bradley,

Lindsey is in a deposition, and I'm working as we speak to track this down for you.

Thanks,  
David

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**From:** Heard, Bradley (CRT) [<mailto:Bradley.Heard@usdoj.gov>]  
**Sent:** Thursday, August 14, 2014 10:56 AM  
**To:** Whitley, David; Wolf, Lindsey  
**Cc:** All Corpus Christi Section 2 Case Group; Shapiro, Avner (CRT); Gear, Bruce (CRT); Freeman, Daniel (CRT); [bdonnell@dakpc.com](mailto:bdonnell@dakpc.com); Westfall, Elizabeth (CRT); Rosenberg, Ezra; Maranzano, Jennifer (CRT); Clay, Reed; Dellheim, Richard (CRT); Berman, Robert (CRT); King, Ryan (CRT); Baldwin, Anna (CRT); Scott, John  
**Subject:** RE: Veasey v. Perry - 30(b)(6) Dep of US and Defendants' Motion to Compel

David & Lindsey –

To facilitate the additional consultation that the Court just requested, please send us, as soon as possible, in a reply email, the exact charts that you just referenced with the Court. Thanks very much.

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**Bradley E. Heard**

*Trial Attorney*

U.S. Department of Justice

Civil Rights Division, Voting Section

Phone: (202) 305-4196

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**From:** Heard, Bradley (CRT)

**Sent:** Wednesday, August 13, 2014 6:09 PM

**To:** 'Whitley, David'

**Cc:** 'All Corpus Christi Section 2 Case Group'; Shapiro, Avner (CRT); Gear, Bruce (CRT); Freeman, Daniel (CRT); [bdonnell@dakpc.com](mailto:bdonnell@dakpc.com); Westfall, Elizabeth (CRT); 'Rosenberg, Ezra'; Maranzano, Jennifer (CRT); 'Clay, Reed'; Dellheim, Richard (CRT); Berman, Robert (CRT); King, Ryan (CRT); Baldwin, Anna (CRT); 'Scott, John'; Wolf, Lindsey

**Subject:** Veasey v. Perry - 30(b)(6) Dep of US and Defendants' Motion to Compel

Dear David:

Please review the attached letter in response to your request of yesterday. Thank you.

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**Bradley E. Heard**

*Trial Attorney*

U.S. Department of Justice

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